

**MINUTES**  
**COMMISSION MEETING**  
**OPEN SESSION**

**November 19, 2014**

The meeting was called to order by Acting Chair Sherri A. Lydon at 9:37 a.m. Other members present were Francis E. Grimball, Sandy Templeton, James I. Warren, III, Twana Burris-Alcide, Regina Hollins Lewis, Julie J. Moose, and Thomas M. Galardi.

The news media was duly notified.

**Staff present:**

Herbert R. Hayden, Jr., Executive Director  
Cathy L. Hazelwood, Deputy Director/General Counsel  
Daniel F. Choate, Investigator  
James T. Bagnall, Investigator  
Ami R. Franklin, Assistant Director, Administration  
Kristin M. Smith, Administrative Coordinator  
Karen A. Wiggins, Court Reporter

**Others present:**

Jamie Self  
Christian Stegmaier

Acting Chair Lydon welcomed everyone, and reminded the members to use their microphones when speaking for the record.

**MINUTES**

Motion was made by Mr. Grimball, seconded by Mrs. Moose, to accept the Minutes as presented. Acting Chair Lydon asked for any discussion or opposition. There being none, the motion

carried with no opposition to approve the Open and Executive Session Minutes from the September 17, 2014 Commission meeting.

## **OFFICE OPERATIONS**

### **Budget 2014/2015**

Mr. Hayden directed everyone to their yellow folder for the Amended Open Agenda and a copy of the Budget sheet for the fiscal year. Mr. Hayden then presented for information only a budget update for the fiscal year, noting it was in line where it should be. The Budget report was accepted as presented.

### **Compliance Reports**

Mr. Hayden presented for information only the Compliance reports for September and October, 2014. The Compliance reports were accepted as presented.

## **ELECTION OF CHAIR**

Mr. Hayden submitted Chairman James H. Burns' resignation from the State Ethics Commission Board effective November 4, 2014, noting Mr. Burns accepted the position of Chief of Staff for re-elected Governor Nikki Haley. Acting Chair Lydon then stated that because of other obligations at this time, she declined the position of Chair and opened the floor for nomination for a new Chair. After a few comments on an outstanding performance as Chair for the Hearing Panels, Mr. Galardi nominated Mr. Jim Warren as the new Chair, seconded by Mr. Grimbball. By acclamation, the vote was unanimous with no opposition.

## **ADVISORY OPINIONS**

### **SEC AO2015-002 and AO2015-003**

Chairman Warren presented to the Commission two written requests from Blythewood Town Council Members, Thomas F. Utroska and Robert Mangone, as to whether they must recuse themselves from voting on two pending zoning regulations concerning Cobblestone Park, a planned community where they each reside and are members of the homeowners association and various clubs. Ms. Hazelwood gave an opening statement concerning economic interest no greater or less than that of all other members of the group. Mr. Grimbball asked for clarification concerning the large class exception and the impact of an economic interest. Ms. Hazelwood responded. After no further discussion, Chairman Warren asked for a motion to approve both Advisory Opinions. Mr. Grimbball made a motion, seconded by Mr. Galardi, to approve the Advisory Opinions as written. There being no opposition, the motion carried on an 8 - 0 vote.

## **LEGISLATION**

Mr. Hayden presented the following proposed issues for pre-filing before the Legislature affecting the State Ethics Commission: disclosure of all income (including business subsidiaries and federal); FOIA appeals, requests and responding deadline; campaign finance; defining "committee"; introduction of smaller or specific-issue bills; legislative exceptions; and some changes in criminal penalties.

**NEW BUSINESS**

Mr. Hayden asked if there was any new business to be discussed. There was none.

**EXECUTIVE SESSION**

Chairman Warren then asked for a motion to go into Executive Session. A motion was made by Mrs. Lewis, seconded by Mr. Templeton, to go into Executive Session. The motion carried with an 8 - 0 vote.

**RETURN FROM EXECUTIVE SESSION**

Upon return from Executive Session, a motion was made by Vice Chair Lydon, seconded by Mrs. Lewis, to adopt and ratify actions taken in Executive Session. Chairman Warren reminded everyone that if you recused yourself on a matter in Executive Session, you are still recused on that matter with this vote. The motion carried with an 8 - 0 vote.

**ADJOURNMENT**

Staff presented to the Commission a 2014 Legislative Manual. Mr. Hayden extended an invitation to the Commission to attend the office Thanksgiving luncheon on November 25. Staff also asked the members to leave their meeting book, stating that the contents would be destroyed except material needed for the next meeting. There being no further business, a unanimous motion was made to adjourn. The motion carried with an 8 ó 0 vote.

Respectfully submitted,

Karen A. Wiggins  
Administrative Specialist